

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44315 of 2022

Arising Out of PS. Case No.-26 Year-2022 Thana- DANDARI District- Begusarai

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Santosh Kumar @ Santosh Sah Son Of Ramchandra Sah R/O Village- Korla,
Haibatpur, Ward No.-8, P.S.- Muffasil, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Adv.

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-12-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Dandari P.S. Case No. 26 of 2022 lodged under Sections 395,
397, 412 of the I.P.C. read with Section 27 of the Arms Act.

As per the prosecution case, the F.I.R. has been
lodged against 5 unknown accused persons who has alleged to
make loot Rs. 3,85,000/- from the informant.

Learned counsel for the petitioner submits that
petitioner has not named in the F.I.R. He submits that the name
of the petitioner has figured in this case by virtue of
confessional statement of one co-accused namely Sandeep

Kumar. He submits that the alleged recovery of some of the cash amount has been recovered from the possession but the T.I.P. of the recovered articles have not been made. He also submits that the bail of other co-accused persons have been considered by this court vide order dated 24.11.2022 passed in Cr. Misc. No. 41964 of 2022. He submits that the case of the present petitioner and the said petitioner are completely identical save and except that antecedent of the petitioner is clean but here there is one antecedent of the petitioner in which he is on bail.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected but liberty is hereby granted to the petitioner that he may renew his prayer for bail 2 months after framing of charge and Trial Court shall release the petitioner imposing its condition so that he may not evade his appearance during trial.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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